

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
AUGUSTA DIVISION

DARON LORENZO HALL, )  
Petitioner, )  
v. ) CV 120-093  
UNITED STATES OF AMERICA, ) (Formerly CR 118-055 & CR 119-001)  
Respondent. )

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**O R D E R**

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Petitioner, an inmate at Federal Correctional Institution Williamsburg in Salters, South Carolina, filed a motion under 28 U.S.C. § 2255 to vacate, set aside, or correct his sentence. Petitioner raises four claims in his § 2255 motion:

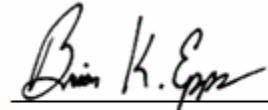
- (1) Counsel provided ineffective assistance by failing to: (a) explain prior to Petitioner signing the plea agreement the potential for an enhancement based on conduct falling outside the offense conduct; and (b) challenge application of such an enhancement;
- (2) The sentence imposed was improperly calculated based on conduct in which Petitioner did not participate;
- (3) Counsel did not file an appeal after Petitioner instructed him to do so; and
- (4) The 18 U.S.C. § 922(g) convictions based on Petitioner's guilty plea are no longer valid in light of Rehaif v. United States, 139 S. Ct. 2191 (U.S. 2019).

Grounds One, Two, and Four have been fully briefed, and the evidence of record provides the Court with the necessary information to make its recommendation without further

development of the record.<sup>1</sup> However, as to Ground Three, the Court will hold an evidentiary hearing on January 21, 2021, at 10:00 a.m. The courtroom deputy clerk will issue a notice of hearing once it has been determined whether the hearing will be held in person or by videoconference.

Pursuant to Rule 8(c) of the Rules Governing Section 2255 Proceedings, Attorney Jesse W. Owen is appointed for the purpose of representing Petitioner at the evidentiary hearing and if necessary, providing any written filings as may be directed at the hearing or in response to the Report and Recommendation that will be issued after the hearing.

SO ORDERED this 21st day of December, 2020, at Augusta, Georgia.



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BRIAN K. EPPS  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA

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<sup>1</sup>The docket reflects an outstanding issue about whether Petitioner attempted to raise another ineffective assistance of counsel claim in his reply brief. (See doc. nos. 10, 11.) The Court will address the matter in the normal course of business, but because the disputed claim is based on the substance of the fully-briefed claim raised in Ground Four, there is no need for an evidentiary hearing on the disputed claim.